"Express Mail" Label No. <u>EV 470763181 US</u> Date of Deposit <u>November 1, 2004</u>

Attorney Docket No.: 040246-000100US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Tara N. Damhoff

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ihab Shraim

Application No.: 10/709,398

Filed: May 2, 2004

For: EMAIL FRAUD SOLUTION

Customer No.: 20350

Confirmation No.: 3397

Examiner: NOT YET ASSIGNED

Art Unit: 2131

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Mail Stop Missing Parts

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. U.S. patents are not enclosed in accordance with the Patent Office waiver issued August 5, 2003 in the Official Gazette, which states as follows:

The Office hereby waives the requirement under 37 CFR 1.98

(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371

Ihab Shraim PATENT

Application No.: 10/709,398

Page 2

after June 30, 2003. See 37 CFR 1.491(b).

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Chad E. King Reg. No. 44,187

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 303-571-4000 Fax: 303-571-4321

CEK:nmb 60286887 v1

PTO/SB/08A (08-03)

Spostitute for form 1449A/PTO E TRACE Complete if Known **Application Number** 10/709,398 INFORMATION DISCLOSURE Filing Date May 2, 2004 STATEMENT BY APPLICANT First Named Inventor Shraim, Ihab Art Unit 2131 (use as many sheets as necessary) **Examiner Name** NOT YET ASSIGNED Sheet Attorney Docket Number 040246-000100US

			U.S. PATENT DO	CUMENTS+	
		Document Number			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Examiner Initials*	Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
	A1	US-5,999,932	12-07-1999	Paul	<u> </u>
	A2	US-6,052,709	04-18-2000	Paul	

		-		FOREIGN PA	TENT DOCUME	NTS		
Examiner Initials*	Cite No.1		eign Patent Do		Publication Date	Name of Patentee or Applicant of Cited	Pages, Columns, Lines, Where Relevant Passages or Relevant	
	B1	Country Code ³	Number⁴	Kind Code ⁵ (if known)	•	Document	Figures Appear	
	B2							

Examiner Signature	Date Considered	,	

EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional).

Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

Applicant is to place a check mark here if English language Translation is attached.

60286887 v1